

## P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al. Confirmation No.: 2599 **FAX RECEIVED**  
Serial No.: 09/940,599 Examiner: J. Jastrzab **OCT 26 2004**  
Filing Date: August 27, 2001 Group Art Unit: 3762  
Docket No.: 1201.1114101 Customer No.: 28075 **OFFICE OF PETITIONS**  
For: CANISTER DESIGNS FOR IMPLANTABLE CARDIOVERTER-DEFIBRILLATORS

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1)(i)(B))**

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at 703-872-9306 on the date shown below.

Kathleen L. Boekley

Type or print name of person signing certification

Kathleen L. Boekley

Signature

October 26, 2004

Date

Dear Sir:

This AMENDMENT is being filed with a PETITION UNDER 37 C.F.R. § 1.313(c)(1) TO WITHDRAW APPLICATION FROM ISSUE AFTER PAYMENT OF THE ISSUE FEE.

Please consider the following amendments and/or remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.